

MONTANA LEGISLATIVE HISTORY

Chapter 449 19 99

Bill H _____ S 10 Original bill & history X c

H. Committee on TRANSPORTATION

Hearing Date(s) 1/18 X c

1/18 X c

_____ c

_____ c

Date Out _____ c

S. Committee on HIGHWAYS & ~~34~~ TRANSPORTATION

Hearing Date(s) 1/5 X c

H&B 1/7 X c

_____ c

_____ c

Did this bill originate in an interim committee? ____ Yes ____ No

Committee _____

Report _____

S. Conference Committee

Hearing: 3/5 X

SENATE BILL NO. 10

INTRODUCED BY MOHL A

BY REQUEST OF THE DEPARTMENT OF TRANSPORTATION

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE LAWS RELATING TO THE MOVEMENT OF SLOW-MOVING VEHICLES; REQUIRING A SLOW-MOVING VEHICLE TRAVELING ON AN INTERSTATE OR A FOUR-LANE HIGHWAY TO TRAVEL IN THE RIGHT LANE AS FAR TO THE RIGHT AS POSSIBLE; REQUIRING A FARM VEHICLE THAT EXCEEDS 16 1/2 FEET IN WIDTH AND THAT IS TRAVELING ON AN INTERSTATE HIGHWAY TO BE FOLLOWED BY A FLAG VEHICLE ESCORT; AND AMENDING SECTIONS 61-9-415 AND 61-10-102, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 61-9-415, MCA, is amended to read:

"61-9-415. Slow-moving vehicles. (1) It is unlawful for a person to operate on a state highway, a farm, rural, or county road, or a city street of this state a slow-moving vehicle or equipment, an animal-drawn vehicle, or any other machinery, including all road construction or maintenance machinery, except when engaged in actual construction or maintenance work either guarded by a flag person or clearly visible warning signs, that normally travels or is normally used at a speed of less than 25 miles an hour, unless there is displayed on the rear of the vehicle an emblem as provided in subsection (2) of this section. The requirement of the emblem is in addition to any lighting devices required by law.

(2) The emblem required by subsection (1) must be of substantial construction; and must be a based-down equilateral triangle of fluorescent yellow-orange film or equivalent quality paint with a base of 14 inches and a height of 12 inches. The triangle must be bordered with reflective red strips having a minimum width of 1 3/4 inches, with the vertices of the overall triangle truncated so that the remaining height is a minimum of 14 inches. The emblem must be mounted on the rear of the vehicle near the horizontal geometric center of the vehicle at a height of 3 to 5 feet above the roadway; and must be maintained in a clean, reflective condition.

(3) In addition to the requirements in subsection (2), on a highway that has only two lanes for traffic moving in opposite directions, when an overtaking vehicle being operated in conformity with

1 61-8-303 does not have a clear lane for passing as required by 61-8-325, the driver of a slower-moving,
2 overtaken vehicle shall, at the first opportunity and when a safe turnout exists, move the overtaken
3 vehicle off the main-traveled portion of the highway until the overtaking vehicle is safely clear of the
4 overtaken vehicle.

5 (4) On an interstate highway or on any other four-lane highway, a slow-moving vehicle, subject
6 to the requirements of this section, must be driven in the right lane as far to the right as possible,
7 including the shoulder of the highway."

8
9 Section 2. Section 61-10-102, MCA, is amended to read:

10 "61-10-102. Width. (1) Except as provided in subsection (2), a vehicle, including a bus, unloaded
11 or with load, may not have a total outside width in excess of 102 inches. This width for buses is allowed
12 only on paved highways 20 feet or more in width.

13 (2) (a) Subsection (1) does not apply to an implement of husbandry or a vehicle used for hauling
14 hay, that is moved or propelled upon the highway during daylight hours for a distance of not more than
15 100 miles if the movement is incidental to the farming operations of the owner of the implement of
16 husbandry or the vehicle used for hauling hay. If the implement or vehicle is more than ~~12 feet 6 inches~~
17 12 1/2 feet wide, it must be preceded by flag vehicle escorts to warn other highway users. This
18 restriction does not apply to dual-wheel tractors under 15 feet overall width that are used in farming
19 operations or to movement on a county road within 100 miles of the farming operation of the owner of
20 an implement of husbandry or a vehicle used for hauling hay. Lights ~~which~~ that meet requirements
21 of 61-9-219(4) must be displayed on the rear of the implement of husbandry or vehicle used for hauling
22 hay. However, if the highway passes through a hazardous area, the implements or vehicles must be
23 preceded and followed by flag vehicle escorts unless the movement of the implements or vehicles is
24 restricted to a county road within 100 miles of the farming operation of the owner.

25 (b) An implement of husbandry or a vehicle used for hauling hay that exceeds 16 1/2 feet in width
26 and that is traveling on an interstate highway must be followed by a flag vehicle escort.

27 ~~(b)(c)~~ A commercial vehicle that is hauling hay but does not qualify under subsection (2)(a) may
28 be granted a permit subject to the provisions of 61-10-121 through 61-10-127 and the following
29 requirements:

30 (i) travel during daylight hours only for an oversize shipment of large round bales of hay, whether

1 the vehicle is loaded or with an empty hay rack, up to 144 inches; when empty, a square red or orange
2 flag measuring 12 inches on each side must be attached to each corner of the hay rack; and

3 (ii) travel day or night for any other shipment of baled hay, whether the vehicle is loaded or with
4 an empty hay rack, up to 114 inches.

5 ~~(c)~~(d) Subsection (1) does not apply to a commercial hay grinder moved or propelled upon the
6 highway during daylight hours for a distance of not more than 100 miles if the movement is incidental to
7 operations of the commercial hay grinder. A commercial hay grinder exceeding 102 inches in width must
8 have a permit issued under 61-10-124. If the commercial hay grinder is more than ~~12 feet 6 inches~~ 12
9 1/2 feet wide, it must be preceded by flag vehicle escorts to warn other highway users. Lights that meet
10 the requirements of 61-9-219(4) must be displayed on the rear of the commercial hay grinder. Movement
11 of a commercial hay grinder that does not exceed 138 inches in width may occur on any day of the week,
12 including holidays, and is restricted to movement during daylight hours. Movement of a commercial hay
13 grinder may not exceed the posted speed limit, including the speed limit on an interstate highway.

14 (3) A safety device that the department determines by rule adopted pursuant to 61-9-504 to be
15 necessary for safe and efficient operation of motor vehicles is not included in the calculation of width
16 provided in subsection (1).

17 (4) For the purposes of this section, "county road" has the same meaning as the term is defined
18 in 60-1-103."

19 - END -

Montana
Legislative
Branch

Montana Legislature

Detailed Bill Information



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Bill Draft Number: LC0175

[Current Bill Text](#)

Bill Type - Number: SB 10

Short Title: Revising the laws relating to slow-moving vehicles on 4-lane highways

Primary Sponsor: Arnie Mohl

Bill Actions - Current Bill Progress: Became Law

Bill Action Count: 57

Action - Most Recent First	Date	Votes Yes	Votes No	Committee
Chapter Number Assigned	04/23/1999			
(S) Signed by Governor	04/22/1999			
(S) Transmitted to Governor	04/20/1999			
(H) Signed by Speaker	04/20/1999			
(S) Signed by President	04/19/1999			
(S) Returned from Enrolling	04/16/1999			
(C) Sent to Printing	04/14/1999			
(S) Sent to Enrolling	04/14/1999			
(H) 3rd Reading Conference Committee Report Adopted	04/10/1999	83	16	
(H) Scheduled for 3rd Reading	04/10/1999			
(H) 2nd Reading Conference Committee Report Adopted	04/09/1999	70	25	
(H) Scheduled for 2nd Reading	04/09/1999			
(S) 3rd Reading Conference Committee Report Adopted	03/15/1999	49	0	
(S) Scheduled for 3rd Reading	03/15/1999			
(S) 2nd Reading Conference Committee Report Adopted	03/13/1999	47	0	
(S) Scheduled for 2nd Reading	03/13/1999			
(S) Scheduled for 2nd Reading	03/12/1999			

(H) Conference Committee Report Received	03/09/1999			
(S) Conference Committee Report Received	03/09/1999			
(S) Hearing	03/05/1999			(S) Conference
(H) Conference Committee Appointed	03/03/1999			
(S) Conference Committee Appointed	03/02/1999			
(S) Referred to Committee	03/02/1999			(S) Conference
(S) 2nd Reading House Amendments Not Concurred	02/23/1999	49	0	
(S) Scheduled for 2nd Reading	02/23/1999			
(H) Returned to Senate with Amendments	02/17/1999			
(H) 3rd Reading Concurred	02/17/1999	90	9	
(H) Scheduled for 3rd Reading	02/17/1999			
(H) 2nd Reading Concurred as Amended	02/15/1999	93	7	
(H) Scheduled for 2nd Reading	02/15/1999			
(H) Committee Report--Bill Concurred	01/19/1999			(H) Transportation
(H) Committee Executive Action--Bill Concurred	01/19/1999	18	0	(H) Transportation
(H) Hearing	01/18/1999			(H) Transportation
(H) Referred to Committee	01/12/1999			(H) Transportation
(H) First Reading	01/12/1999			
(S) Transmitted to House	01/11/1999			
(S) 3rd Reading Passed	01/11/1999	50	0	
(S) Scheduled for 3rd Reading	01/11/1999			
(S) 2nd Reading Passed	01/09/1999	48	0	
(S) Scheduled for 2nd Reading	01/09/1999			
(S) Committee Report--Bill Passed as Amended	01/08/1999			(S) Highways and Transportation
(S) Committee Executive Action--Bill Passed as Amended	01/08/1999	11	0	(S) Highways and Transportation
(S) Hearing	01/05/1999			(S) Highways and Transportation
(S) First Reading	01/04/1999			
(S) Referred to Committee	12/22/1998			(S) Highways and Transportation
(C) Introduced Bill Text Available Electronically	12/02/1998			
(S) Introduced	12/02/1998			
(C) Pre-Introduction Letter Sent	11/30/1998			
(C) Draft in Assembly/Executive Director	11/20/1998			

Review				
(C) Draft in Final Drafter Review	11/18/1998			
(C) Bill Draft Text Available Electronically	11/16/1998			
(C) Draft in Input/Proofing	11/16/1998			
(C) Draft to Drafter/Edit Review (SAB)	11/16/1998			
(C) Draft in Edit	11/16/1998			
(C) Draft in Legal Review	11/13/1998			
(C) Draft to Requester for Review	11/05/1998			
(C) Draft Request Received	09/23/1998			

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Sponsor, etc.

Sponsor, etc.	Last Name/Organization	First Name	Mi
Requester	Legislative Council		
Drafter	Erickson	Connie	
By Request Of	Department of Transportation		
Primary Sponsor	Mohl	Arnie	

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Subjects

Description	Revenue/Approp.	Vote Majority Req.	Subject Code
Trade Regulations and Competition		Simple	TRAD
Safety (see also: Health)		Simple	SAF

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Additional Bill Information

Probable Fiscal Note: No
 Preintroduction Required: Y
 Session Law Ch. Number: 449

DEADLINE**Category:** General Bills**Transmittal Date:** 02/24/1999**Return (with 2nd house amendments) Date:** 04/01/1999[| Top](#) | [Actions](#) | [Sponsor, etc.](#) | [Subjects](#) | [Add'l Bill Info](#) | [Eff. Dates](#) | [New Search](#) |

Section Effective Dates

Section(s)	Effective Date	Date Qualified
All Sections	01-OCT-99	

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MONTANA ONLINE

MINUTES

**MONTANA SENATE
56th LEGISLATURE - REGULAR SESSION
Committee on
HIGHWAYS AND TRANSPORTATION**

Call to Order: By **CHAIRMAN ARNIE MOHL**, on January 5, 1999 at
3:00 P.M., in Room 410 Capitol.

ROLL CALL

Members Present:

Sen. Arnie Mohl, Chairman (R)
Sen. Ric Holden, Vice.Chairman (R)
Sen. Mack Cole (R)
Sen. Bob DePratu (R)
Sen. John Hertel (R)
Sen. Reiny Jabs (R)
Sen. Greg Jergeson (D)
Sen. Glenn Roush (D)
Sen. Debbie Shea (D)
Sen. Spook Stang (D)
Sen. Daryl Toews (R)

Members Excused: None.

Members Absent: None.

Staff Present: Connie Erickson, Legislative Services Division
Phoebe Olson, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) SB 10 & Date(s) Posted: 1-4-99
Executive Action: None

HEARING ON SB 10

Sponsor: CHAIRMAN ARNIE MOHL , SD 39, KALISPELL

HEARING ON SB 10

Sponsor: CHAIRMAN ARNIE MOHL , SD 39, KALISPELL

Proponents:

Dave Galt, MT Department of Transportation
Bob Stephens, MT Grain Growers
Brain Cavey, MT Motor Carriers
Ron Deyong, MT Farmers Union
Lorna Karn, MT Farm Bureau.

Opponents: NONE

VICE-CHAIRMAN RIC HOLDEN, assumed the chair.

Opening Statement by Sponsor:

SENATOR ARNIE MOHL, SD 39, KALISPELL, stated that he sponsored the bill at the request of the Department of Transportation. He described that the intent of the bill was to protect the safety of the traveling public by requiring that agricultural vehicles over 16.5 feet wide operating on interstate highways, have a flag car at the rear and travel on the far right of the road including the shoulder. He believed it was a necessary bill and that no one should have a real problem with it.

Proponents:

Dave Galt, Department of Transportation, stated that the bill stemmed from concerns that the Department of Transportation Engineers had about having slow moving vehicles and wide farm implements operating on the highway. He pointed out that in Section 1 Subsection 4 of the bill, the Department's intent was to let people know that it was alright to use the shoulder when a vehicle exceeded a certain width. He went on to say that the other part of the bill, Section 2 Subsection 2b, stated that an implement of husbandry or vehicle used for hauling hay that exceeds 16.5 feet was to be followed by a flag car escort. It was made known that the law says that if you are over 12.5 feet and you were operating on a highway you had to be preceded by a flag car. The bill before the committee said that if you were on the Interstate you had to be followed by a flag car. He didn't think

that the bill added a flag car, but that it just restated where that flag car had to be.

Ron Deyong, MT. Farmers Union, stated support for the bill.

Bob Stephens, MT. Grain Growers Association, stated support for the bill.

Lorna Frank Karn, MT. Farm Bureau, stated support for the bill.

Opponents: NONE

Questions from Committee Members and Responses:

SENATOR REINY JABS, questioned if flag cars were required for slow moving vehicles.

Dave Galt, Department of Transportation, replied that they were usually just required to have a triangle.

SENATOR DARYL TOWES, commented that the bill said as far to the right as possible. He questioned the interpretation of that and wondered if the Interstate would be signed to reflect the change.

Dave Galt, asserted that he did not plan on signing the Interstate. He interpreted as far right as possible to be as far to the right without going off the pavement. He said the point they were trying to make was that it was O.K. to use the shoulder of the road.

SENATOR TOWES, wondered if you took "as far right as possible" out of the bill if it would effect what the bill was trying to accomplish.

Dave Galt, replied that it would not.

SENATOR MACK COLE, asked **Col. Reap,** if he had any figures on the number of wrecks or collisions involving vehicles that were 16½ feet or over on the highways with him at the present time.

Col. Reap, MT Highway Patrol, replied that he did not have figures at the time but could do some research to find out.

SENATOR COLE, declared he would like the information.

SENATOR BOB DEPRATU, asked **Col. Reap** how he felt his officers would interpret the language "as far right as possible".

Col. Reap, thought that they would look at that as the paved portion of the road, or if there was an emergency lane the vehicle would be allowed to travel in that.

SENATOR DEPRATU, wondered if Highway Patrol officers would do anything about the conflict with the no driving on the shoulder signs.

Col. Reap, didn't think that the emergency lane would be considered the shoulder in the way he interpreted it.

SENATOR BARRY "SPOOK" STANG, asked what would be done if there happened to be a paved bike path that ran along the highway.

Col Reap, said that in his opinion they would not be required to use any portion of the bike path.

SENATOR GREG JERGESON, asked what the dimensions of a driving lane and the typical width of a shoulder were.

Dave Galt, responded the driving lane was 12 feet wide and the shoulder was 8 feet wide.

SENATOR REINY JABS, asked what the maximum allowable width of a vehicle was to be operating on the highway.

Dave Galt, responded there was no limit on the amount of width for an implement of husbandry that was allowed on the highway.

VICE CHAIRMAN RIC HOLDEN, mentioned that **Dave Galt** had said he didn't think that an additional flag person was required by passage of the bill. He wondered where it said that a flag person was required at all for agriculture.

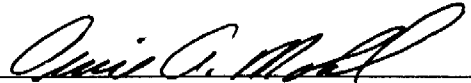
Dave Galt, responded that Section 2, statute of law 61-10-102 paragraph 2, exempted implements of husbandry from the width statute. He continued by saying if you went down 4 lines it said

if a vehicle was more than 12½ feet wide it must be preceded by a flag car escort.

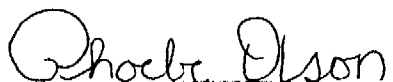
Closing by Sponsor: SENATOR MOHL, said he just had a couple of comments. One in regards to the bike path on the Interstate. He said that if you were moving an 18 foot combine you couldn't go any further than about six feet over or you would start hitting the delineators and the signs that are on the side of the road. He also mentioned that he did check with the Department of Transportation and they said the Interstate shoulder was built to withstand that extra load since it would be a slow moving vehicle. He suggested that an amendment might have to be offered to change Section 2 to say Interstates and four lane roads. He encouraged the committee to pass the bill.

ADJOURNMENT

Adjournment: 3:30 P.M.



SEN. ARNIE MOHL, Chairman



PHOEBE OLSON, Secretary

AM/PO

MINUTES

MONTANA SENATE 56th LEGISLATURE - REGULAR SESSION

COMMITTEE ON HIGHWAYS AND TRANSPORTATION

Call to Order: By **CHAIRMAN ARNIE MOHL**, on January 7, 1999 at
3:00 P.M., in Room 410 Capitol.

ROLL CALL

Members Present:

Sen. Arnie Mohl, Chairman (R)
Sen. Ric Holden, Vice Chairman (R)
Sen. Mack Cole (R)
Sen. John Hertel (R)
Sen. Reiny Jabs (R)
Sen. Greg Jergeson (D)
Sen. Glenn Roush (D)
Sen. Debbie Shea (D)
Sen. Spook Stang (D)
Sen. Daryl Toews (R)

Members Excused: Sen. Bob DePratu (R)

Members Absent: None.

Staff Present: Connie Erickson, Legislative Branch
Phoebe Olson, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: SB 37 and SB 46, 1/5/1999
Executive Action: SB 10

HEARING ON SB 37

Sponsor: SEN. BOB KEENAN, SD 38, BIGFORK

Proponents:

Al Smith, Montana Trial Lawyers Association

to patrol the highways. **SENATOR SWYSGOOD**, maintained that the transfer would make the process more efficient, and would be a benefit to everyone. He hoped the committee would give serious consideration to the bill and stated that it did save money in the highway fund which was critical.

EXECUTIVE ACTION ON SB 10

Motion: SEN. MOHL moved that SB 10 DO PASS.

Discussion:

SENATOR MOHL, offered an amendment. **EXHIBIT(his04a05)** He explained that the amendment just changed the position of the pilot car when moving from a highway to an Interstate.

SENATOR STANG, suggested that the language be consistent with the language found on line five of the bill where it says "an interstate highway or any other four lane highway".

SENATOR GREG JERGESON, offered the suggestion that instead of saying "strike" they say "following an Interstate insert or a four lane highway". **EXHIBIT(his04a06)**

Motion/Vote: SEN. STANG moved that the amendment be amended.
Motion carried 11-0.

{Tape : 2; Side : A; Approx. Time Counter : 0}

Motion/Vote: SEN. DEBBIE SHEA moved that SB 10 DO PASS AS AMENDED. Motion carried 11-0.

ADJOURNMENT

Adjournment: 4:30 P.M.

SEN. ARNIE MOHL, Chairman

PHOEBE OLSON, Secretary

AM/PO

EXHIBIT(his04aad)

SENATE HIGHWAYS

EXHIBIT NO. 5

DATE 1-6-99

BILL NO. SB 10

Amendments to Senate Bill No. 10
1st Reading Copy

Requested by Senator Arnie Mohl

For the Senate Transportation Committee

Prepared by Connie Erickson
January 6, 1999

1. Title, line 9.

Following: "INTERSTATE"

Insert: "OR A FOUR-LANE"

2. Page 2, line 26.

Following: "interstate"

Insert: "or a four-lane"

- END -

Amendments to Senate Bill No. 10
1st Reading Copy

Requested by Senator Arnie Mohl

For the Senate Transportation Committee

Prepared by Connie Erickson
January 6, 1999

SENATE HIGHWAYS
EXHIBIT NO. 6
DATE 1.7.99
BILL NO. SB 10

1. Title, line 9.
Following: "INTERSTATE"
Insert: "OR A FOUR-LANE"

2. Page 2, line 26.
Following: "interstate"
Insert: "or a four-lane"

- END -

DATE _____

1.7.99

[illegible]



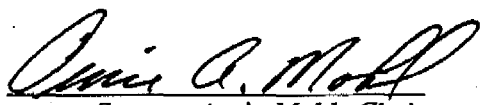
SENATE STANDING COMMITTEE REPORT

January 8, 1999

Page 1 of 1

Mr. President:

We, your committee on Highways and Transportation report that Senate Bill 10 (first reading copy – white) do pass as amended.

Signed: 
Senator Arnie Mohl, Chair

And, that such amendments read:

1. Title, line 9.
Following: "INTERSTATE"
Insert: "OR A FOUR-LANE"

2. Page 2, line 26.
Following: "interstate"
Insert: "or a four-lane"

- END -

Committee Vote:
Yes 11, No 0.

050958SC.srf

LEGISLATIVE TAPE LOG

COMMITTEE:

Highways + Transportation

DATE:

1.7.99

MINUTES

CONTENT NOTES

3:05

Sen. Keenan SB37

3:10

Al Smith - Proponent MT Trial Lrs
Gill McGuire - Written
Greg Vanhousen - State Farm

3:17

Doug Altier - MTR
Larry Elensin

3:20

Sen. Hertel - Sen. Keenan
Gill McGuire
Sen. Keenan

3:23

Sen. Jabs - Gill McGuire
Greg Vanhousen

3:26

Sen. Stang - Frank Cota
Col. Resp.

3:26

Sen. Mohl - Col. Resp.
Greg Vanhousen

3:28

Close by speaker

3:30

SB 47 Sen. Lumsford

3:33

Proponents - Doug Altier
written

LEGISLATIVE TAPE LOG

COMMITTEE:

Highways & Transportation

DATE:

1.7.99

MINUTES

CONTENT NOTES

3:36

Mike Foster MS Contractors Assn.

3:37

Opponents - Col. Reap
written

3:45

Curt written
Mr. Duffy

3:49

Sen. Stang - Dave Helt

4:00

Sen. Halden - Col. Reap
" Dave Helt

4:07

Sen. Stang - Dave Helt
Col. Reap

Sen. Mohl - Dave Helt
Sen. Sunsgood
Dave Helt

Sen. Jabs - Dave Helt

4:13

Sen. Sunsgood close

LEGISLATIVE TAPE LOG

COMMITTEE:

Highways & Transportation

DATE:

1-7-99

MINUTES

CONTENT NOTES

4:22

Executive Action

Cole - Do Pass

Sen. Mottel Announcement

Sen. Strong

Connie

Motion, Shea - Pass

4:29

Adjourn

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TRANSPORTATION

Call to Order: By **CHAIRMAN SHIELL ANDERSON**, on January 18, 1999
at 3:00 P.M., in Room 420 Capitol.

ROLL CALL

Members Present:

Rep. Shiell Anderson, Chairman (R)
Rep. Gary Beck, Vice Chairman (D)
Rep. Darrel Adams (R)
Rep. Joe Barnett (R)
Rep. Sylvia Bookout-Reinicke (R)
Rep. Matt Brainard (R)
Rep. Paul Clark (D)
Rep. Robert C. Clark (R)
Rep. Steven Gallus (D)
Rep. George Golie (D)
Rep. Marian Hanson (R)
Rep. Donald L. Hedges (R)
Rep. Carol C. Juneau (D)
Rep. Gary Matthews (D)
Rep. Frank Smith (D)
Rep. Roger Somerville (R)
Rep. Cliff Trexler (R)

Members Excused: Rep. Rick Jore.

Members Absent: None.

Staff Present: Leanne Kurtz, Legislative Branch
Mary Lou Schmitz, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: SB 10; HB 169; HB 259, Posted
1-15-99

Executive Action: HB 18, TABLED; HB 169, TABLED; HB 208, TABLED; HB 187, DO PASS AS AMENDED; HB 172, DO PASS AS AMENDED; SB 10, BE CONCURRED IN.

HEARING ON SB 10

Sponsor: Senator Arnie Mohl, SD 39, explained this Bill would require a slow-moving vehicle traveling on an Interstate or a four-lane highway to travel in the right lane as far to the right as possible.

{Tape : 1; Side : A; Approx. Time Counter : 0.4 - 1.5}

Proponents: Dave Galt, Administrator of Motor Carrier Services, Department of Transportation.

{Tape : 1; Side : A; Approx. Time Counter : 1.5 - 4.1}

Bob Stephens, Montana Grain Growers' Association.

{Tape : 1; Side : A; Approx. Time Counter : 4.1 - 4.6}

Opponents: None

Questions from Committee Members and Responses: Rep. Juneau to Senator Mohl, Rep. Shiell Anderson to Sponsor and Dave Galt.

{Tape : 1; Side : A; Approx. Time Counter : 4.6 - 7.2}

Closing by Sponsor: Senator Mohl closed the Hearing on SB 10.

{Tape : 1; Side : A; Approx. Time Counter : 7.2 - 8.4}

EXECUTIVE ACTION ON HB 18

Motion: REP. HANSON moved HB 18 DO PASS.

{Tape : 1; Side : A; Approx. Time Counter : 8.4 - 10}

Discussion: Rep. Bookout-Reinicke.

Motion/Vote: REP. CLARK moved HB 18 TABLED. Motion carried 12-3 with Reps. Hanson, Somerville and Trexler voting no.

{Tape : 1; Side : A; Approx. Time Counter : 10 - 11.7}

Chairman Anderson asked how many Committee members are going to tour the Highway Patrol Facility Friday, 1-22-99, so cars can be available.

{Tape : 1; Side : A; Approx. Time Counter : 11.7 - 13.9}

HEARING ON HB 169

"AN ACT ELIMINATING THE REGULATIONS AND RESTRICTIONS ON THE ESTABLISHMENT, OPERATION, AND MAINTENANCE OF JUNKYARDS IN AREAS ADJACENT TO THE STATE'S HIGHWAYS."

Motion: REP. GALLUS moved that HB 208 BE AMENDED.

{Tape : 1; Side : B; Approx. Time Counter : 21.5 - 22.3}

Discussion: Reps. Somerville, Bob Clark, Hanson, Gallus. Leanne Kurtz gave an explanation.

{Tape : 1; Side : B; Approx. Time Counter : 22.3 - 28.2}

Vote: Motion to amend HB 208 failed on a tie vote 9-9.

{Tape : 1; Side : B; Approx. Time Counter : 28.2 - 28.3}

Substitute Motion/Vote: REP. BARNETT made a substitute motion that HB 208 BE TABLED. Substitute motion carried 17-1.

{Tape : 1; Side : B; Approx. Time Counter : 28.3 - 31.8}

EXECUTIVE ACTION ON SB 10

Motion/Vote: REP. SOMERVILLE moved that SB10 BE CONCURRED IN.

Motion carried unanimously. 18-0.

{Tape : 1; Side : B; Approx. Time Counter : 31.8 - 37}

ADJOURNMENT

Adjournment: 4:20 P.M.

REP. SHIELL ANDERSON, Chairman

MARY LOU SCHMITZ, Secretary

SA/MS

EXHIBIT(trh13aad)

HOUSE OF REPRESENTATIVE ROLL CALL

TRANSPORTATION

COMMITTEE

DATE 1-18-99

NAME	PRESENT	ABSENT	EXCUSED
Anderson, Shiell, Chair	✓		
Jore, Rick, Vice Chair Maj.			✓
Beck, Gary, Vice Chair, Min	✓		
Adams, Darrel	✓		
Barnett, Joe	✓		
Bookout-Reinicke, Sylvia	✓		
Brainard, Matt	✓		
Clark, Robert	✓		
Clark, Paul	✓		
Gallus, Steven	✓		
Golie, George	✓		
Hanson, Marian	✓		
Hedges, Donald	✓		
Juneau, Carol	✓		
Matthews, Gary	✓		
Smith, Frank	✓		
Somerville, Roger	✓		
Trexler, Cliff	✓		



HOUSE STANDING COMMITTEE REPORT

January 19, 1999

Page 1 of 1

Mr. Speaker:

We, your committee on **Transportation** report that **Senate Bill 10** (third reading copy -- blue) be concurred in.

Signed: _____

Shiell Anderson
Representative Shiell Anderson, Chair

To be carried by Representative Roger Somerville

- END -

Shiell Anderson
12:40
1-19

Committee Vote:
Yes 18, No 0.

141042SC.ham

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

TRANSPORTATION

COMMITTEE

DATE 1-18-99 BILL NO. SB10 NUMBER 15

MOTION: Rep. Somerville moved

Be Concurred In

Motion Carried Unanimously

NAME	AYE	NO
Anderson, Sheill, Chair	✓	
Jore, Rick, Vice Chair Maj <i>prof</i>	✓	
Beck, Gary, Vice Chair Min	✓	
Adams, Darrel	✓	
Barnett, Joe	✓	
Bookout-Reinicke, Sylvia	✓	
Brainard, Matt	✓	
Clark, Robert	✓	
Clark, Paul	✓	
Gallus, Steven	✓	
Golie, George	✓	
Hanson, Marian	✓	
Hedges, Donald	✓	
Juneau, Carol	✓	
Matthews, Gary	✓	
Smith, Frank	✓	
Somerville, Roger	✓	
Trexler, Cliff	✓	
	18	0

MONTANA HOUSE OF REPRESENTATIVES VISITORS REGISTER

DATE 1-18-99

BILL NO. SB10

SPONSOR(S) Sen. Mohl

TYPE
PROPONENT (P) OPPONENT (O) INFORMATIONAL (I)

PLEASE PRINT

PLEASE

CIRCLE

	NAME	ADDRESS	REPRESENTING
☒ POI	Bob Stephens		mt Grain Growers
☒ POI	ALT, Dave		MDT
☒ POI	Loren Koen		mt Farm Bu.
☒ POI	Ron DeYoung		mt Farmers Union
☐ POI			
☐ POI			
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PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

MINUTES

MONTANA SENATE 56th LEGISLATURE - REGULAR SESSION

CONFERENCE COMMITTEE ON SB 10

Call to Order: By **CHAIRMAN ARNIE MOHL**, on March 5, 1999 at 4:15 P.M., in Room 108 Capitol.

ROLL CALL

Members Present:

Senator Arnie Mohl
Senator Greg Jergeson
Representative Marion Hanson
Representative Donald Hedges
Representative Gary Beck

Members Excused:

Senator Mack Cole

Members Absent: None.

Staff Present: Phoebe Olson, secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Consideration of Committee amendments (other House) to SB 10.

SENATOR MOHL, said the problem they had when it came back to the Senate was they didn't understand what the amendments were trying to do. He asked if someone could explain it.

REPRESENTATIVE HEDGES, said he thought the intent of the amendment was that you could be more than 100 miles from your home with your equipment without needing a permit and a flag car.

SENATOR MOHL, said if you were under 12½ feet you did not need a flag car. He remarked that he had spoken with Dave Galt and he didn't know why the amendment was needed.

REPRESENTATIVE HANSON, was concerned because her two ranches were more than 100 miles apart.

REPRESENTATIVE HEDGES, maintained everything would stay the same except for the restriction about being 100 miles from home.

SENATOR MOHL, said that Dave Galt was concerned that farmers would move other peoples equipment all over the state.

SENATOR JERGESON, asked why anyone would want to move a tractor more than 100 miles without having a flag car.

SENATOR MOHL, said the idea of this bill was to have flag people for anything over 12½ feet for safety reasons.

REPRESENTATIVE HEDGES, said as long as the restriction was 100 miles from land that they farmed he didn't see where a rancher in Montana would be in trouble.

REPRESENTATIVE BECK, agreed.

SENATOR JERGESON, said the first amendment dealt with implements of husbandry and vehicles on the highway, the second dealt with dual wheel tractors on county roads, and the third amendment struck out the 100 miles for commercial hay grinders on the highway.

SENATOR MOHL, said Dave Galt was really worried about the hay grinders. He expressed that he was a firm believer in flag cars, because of safety.

REPRESENTATIVE HEDGES, said they could live without the amendment.

REPRESENTATIVE BECK, agreed.

SENATOR JERGESON, said when the bill was considered it referred to having a flag man behind equipment on the interstate, which made sense because that was where the traffic was. He maintained that was really the single purpose of the bill.

SENATOR MOHL, said theoretically the only thing this bill did was add the interstate. Everything else was already in law.

SENATOR JERGESON, moved **that the House amendments be rejected.**
Motion carried 5 to 0.

ADJOURNMENT

Adjournment: 4:35 P.M.

SENATOR ARNIE MOHL, Chairman

PHOEBE OSLON, Secretary

EXHIBIT (ccs50sb0010aad)



CONFERENCE COMMITTEE

on House amendments to Senate Bill 10

Report No. 1, March 9, 1999

Page 1 of 2

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered House amendments to **Senate Bill 10** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

For the Senate:

Chris A. Mall
Chair

Greg Ferguson

Mark Syle

Jim Toole

Amendment Coordinator

Rosana Skelton
Secretary of Senate

For the House:

Marian H. Hansen
Chair

Don Hedges

Ray Bol

And, recommend that **Senate Bill 10** (reference copy -- salmon) be amended as follows:

1. Title, line 10 through line 11.

Strike: "ELIMINATING" on line 10 through "REQUIREMENTS;" on line 11

2. Page 2, line 17.

Following: "miles"

ADOPT

AC SB 10-1

REJECT

530901CC.sjo

Insert: "for a distance of not more than 100 miles"

3. Page 2, line 22.

Following: "hay" on line 22

Insert: "within 100 miles of the farming operation of the owner
of an implement of husbandry or a vehicle used for hauling
hay"

4. Page 3, line 8.

Following: "~~miles~~"

Insert: "for a distance of not more than 100 miles"

- END -

LEGISLATIVE TAPE LOG

COMMITTEE:

Conference Committee SB 10

DATE:

3.5.99

MINUTES

CONTENT NOTES

4:14

Mohl asked intent
Hedges explain
Mohl

4:16

Hedges
Hanson
Jergeson

4:19

Hedges
Jergeson
Hanson

Hedges
Mohl
Hedges

Jergeson
Mohl
Hedges

Mohl
Hedges
Beck

4:21

Hedges

4:22

Jergeson
Mohl
Jergeson

4:27

Beck
Hedges

4:30

Jergeson

LEGISLATIVE TAPE LOG

COMMITTEE:

Conference Committee SB 10

DATE:

3.5.99

MINUTES

CONTENT NOTES

4:31

Mohl

4:32

Jergeson move reject House
Amendments

2 Senators

3 House